

List of delegated planning applications with objections received / recommendation to refuse

Week Ending 29th November 2024

Item Number 1			
Application Reference	LA05/2024/0291/F	Date Valid	12.04.2024
Description of Proposal	Two storey extension to side of dwelling	Location	8 Fairhaven Park, Lisburn
Group Recommendation	Approval	Case Officer	Jade Gillespie
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
2	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
The host property is in use as an HMO to accommodate the owner of the host property's workers.	There has been no evidence to suggest that this property is an HMO. However, the Council are investigating this claim in further detail.		
Concern over the proposed use of the extension.	The plans indicate that the extension will be used solely for domestic purposes related to the dwellinghouse.		
The presence of Japanese Knotweed that has not been correctly treated.	The presence of Japanese Knotweed on the site is not a concern within this planning application.		
The proposed extension will cause overlooking.	It has been determined the proposal would have an acceptable impact on the amenity of all neighbouring occupiers. In regard to overlooking, the only windows serving the first floor of the extension will be rooflights on the front and rear roof slope. There will be no flank windows at ground or first floor level on the extension. The windows on the front and rear elevations of the extension will be at ground floor only. As such the proposed fenestration on the extension will not provide an opportunity for overlooking.		

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<p>The proposed extension is a standard two-storey which does not match the chalet style of the host property.</p>	<p>It has been established in the assessment that the proposed extension will have an acceptable impact on the character, appearance and design of the host property and the surrounding area due to its appropriate scaling, design and siting.</p>
<p>Concern regarding the extension's impact on neighbouring property's value.</p>	<p>Property value is not a material consideration within planning application assessments.</p>
<p>The extension will result in the loss of natural light and heat to neighbouring back gardens.</p>	<p>Within the report, it has been determined that the proposed extension would not result in any further loss of light to neighbouring properties. It is understood that there may be an existing loss of light to some neighbours as a result of the host property's position in relation to the sun. However, it is considered that any loss of light is restricted to early morning and would not be made any worse as result of this extension being erected.</p>

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Item Number 2			
Application Reference	LA05/2024/0536/F	Date Valid	16.07.2024
Description of Proposal	Demolition of existing garage. Addition of a single-storey side extension for disabled access. Widening the driveway.	Location	2 Grahamsbridge Park, Belfast
Group Recommendation	Approval	Case Officer	Jade Gillespie
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
2	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Concern regarding the scale of the proposed side extension and its greater rearward projection than the existing garage.	While the proposed side extension will have a greater rearward projection than the existing garage, it is not considered that there would be a detrimental impact on character or residential amenity as a result of this. The rearwards projection of the extension will be in line with the rear building line of the host property and will not be directly viewable from the street scene. The side extension will project minimally past the rear building line of No.1 by approximately 0.80 metres. The host property and No.1 reside on the same ground level also. This minimal further projection is not considered to have a detrimental impact on the residential amenity of No.1 in regard to causing loss of light, loss of privacy, appearing overbearing or creating a sense of dominance.		
Concern regarding the impact the side extension will have on the character of the area as the side extension will make 2no detached properties appear connected.	It is not considered that the proposed side extension will result in the host property and No.1 appearing connected to each other. It is acknowledged that the extension will reside closer to the boundary shared with No.1 in comparison with the existing garage. However, the proposed extension is single storey in scale meaning that the overall visual gap between the two properties will be largely retained. Furthermore, No.1 is set off the shared boundary and so there will still be a gap between these properties at ground floor level.		

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<p>Concern that the foundations for the proposed side extension will undermine neighbouring foundations.</p>	<p>The undermining of foundations, drainage and earth movement resulting in cracked pipework are matters that will require consideration at the building control stage of the process.</p>
<p>Concern regarding the construction work may have on drainage which could result in earth movement and cracking pipework.</p>	<p>Drainage and earth movement resulting in cracked pipework are matters that will require consideration at the building control stage of the process.</p>
<p>Concern regarding the venting from the appliances to be housed in the extension such as the utility room and shower. Further concern that fumes and noise from the heating boiler will impact residential amenity due to the proximity of neighbouring windows to the proposed extension.</p>	<p>The ventilation of appliances and any associated noise and fumes from a boiler are also considerations for building control.</p>

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Item Number 3			
Application Reference	LA05/2024/0087/F	Date Valid	31.01.2024
Description of Proposal	Retention of wall and privacy glass screen with minor amendments to previous approval LA05/2019/1303/F	Location	47D Carnreagh, Royal Hillsborough
Group Recommendation	Approval	Case Officer	Laura McCausland
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	1	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Misleading description.	<p>The objector considers the proposal description of the application to be misleading and associated description does not represent works to date at the site following previous grant of permission (LA05/2019/1303/F).</p> <p>On 31st January 2024, the application was initially submitted to Council with a proposal description to read 'wall and privacy screen'. A site inspection was carried out on 29th July 2024 where it was evident that the dwelling was occupied, and retrospective works were completed that departed from previous approval (LA05/2019/1303/F).</p> <p>Feedback regarding this matter was provided to the applicant who on 08/08/2024 submitted a revised application form with proposal description to read 'Retention of wall and privacy glass screen with minor amendments to previous approval LA05/2019/1303/F' and revised plan was also submitted with drawing title label changed to reflect revised proposal description.</p> <p>Upon receipt of above revisions, the application was re-neighbour notified on 08/08/2024 and re-advertised on 15/08/2024, no further representations were made to Council in respect to the application. Council is content that the revised proposal description is not misleading but accurately reflects works that have carried out on the ground as detail provided on Plan 01A.</p>		

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<p>Enforcement Action.</p>	<p>The objector raised concern that detail of enforcement case has not been provided within the application package of this application and works and defaults undermine the 2019 approval and alleged breach of planning conditions relating to the previous permission (LA05/2019/1303/F). This proposal seeks to regularise unauthorised works on site that have departed from previous approval (LA05/2019/1303/F). A related enforcement case albeit live is being held in abeyance pending the outcome of this planning application.</p> <p>In response to objector's comments relating to alleged breach of conditions a further enforcement case was opened and investigations carried out by Council's Enforcement Section. Enforcement Section have confirmed that no breach of planning control has occurred in relation to alleged breach of conditions and this case has been closed.</p> <p>Due regard of all planning material considerations including planning history and objector's comments have been considered and full account reserved in the assessment of this application.</p>
<p>Invalid application.</p>	<p>The objector states that the application should have been made invalid and refused on the basis of initial submission being misleading. At the time of validation, the application was deemed to meet legislative requirements to be made valid.</p> <p>As set out above following the site inspection and request by the Council necessary steps were taken by the applicant to ensure what is being applied for is reflective of what has been built. Council is content that revised proposal description and Plan 01A accurately reflect what permission is being sought for and what has been built on the ground.</p>
<p>Works significantly prejudice the neighbour in terms of privacy and amenity at 41A Carnreagh.</p>	<p>All matters have been fully considered and accessed from the site and the objector's site.</p> <p>During the site inspection outward views in all directions including outward views of 41A were observed and noted from the open staircase and within the terrace area. Also, outward views from the rear garden area and varying internal areas from No. 41A of the terrace and open staircase were observed and noted.</p> <p>Sought changes are not considered to significantly change the nature of privacy screen nor prevent the intended function or use of the screen from that as previously approved. As works are retrospective the potential of overlooking or loss of privacy was observed during the site inspection and considered to be of an acceptable degree on residential amenity beyond that of what has previously been approved to warrant or sustain a refusal reason.</p> <p>Therefore, all sought changes of the overall proposal including those above relating to privacy screen and removal of portion of roof, are considered to be acceptable and will not create any further potential for loss of privacy or overlooking beyond that of the previously approved screen that would unduly affect the privacy of neighbouring residents. The proposal complies with criteria (b) of Policy HOU7.</p>

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Item Number 4			
Application Reference	LA05/2024/0339/F	Date Valid	01.05.2024
Description of Proposal	Proposed two and single storey extension to rear of existing dwelling with demolition of existing garage and proposed garden store in lieu of garage.	Location	25 Glendale Park, Belfast
Group Recommendation	Approval	Case Officer	Barbara Hanna
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Overshadowing/Loss of light to rear of property.	<p>The existing single storey rear extension approved under Y/1999/0507/F already has an overshadowing impact upon No.27 in the afternoon/evening. The replacement single storey aspect of the extension is over the same existing footprint. The proposed 2 storey element is pulled back 3.2m from the shared boundary to reduce any potential overshadowing. Overshadowing to a garden area on its own will rarely constitute sufficient grounds to justify a refusal of permission.</p> <p>To assess the potential loss of light to adjoining property No.27, a line was drawn at a 45-degree angle from the mid-point of the closest ground floor window and first floor window. This line does not intercept the proposed 2 storey extension and as such there will be no unacceptable loss of light to either window.</p>		
Overlooking/loss of privacy.	<p>Proposed first floor bedroom windows to be fitted with opaque glass and to be suitably conditioned as non-opening to prevent overlooking of the private amenity space to the rear to No.27. The 2 proposed office windows will be screened by the existing 2m high shared boundary fence. The 2 proposed roof lights above the living area will not facilitate any overlooking as they are high level and do not require planning permission.</p>		

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Enclosure/hemmed in.	The 2-storey portion of the extension has been pulled 3.2m away from the shared boundary as not to create a large blank wall which could create a sense of dominance when viewed from No.27.
Loss of view from rear bedroom to west of property.	Whilst a loss of view is a material consideration, it is not given any determining weight as the loss of view is subjective and cannot be considered as a significant adverse impact on residential amenity.

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Item Number 5			
Application Reference	LA05/2023/0950/F	Date Valid	15.12.2023
Description of Proposal	Change of use to Cafe for the sale of food or drink for consumption on the premises. Current use Class A1: Shop.	Location	Unit 1 Emerson House 14B Ballynahinch Road Carryduff Down
Group Recommendation	Refusal	Case Officer	Catherine Gray
Reasons for Recommendation			
The proposal is contrary to policy WM2 Treatment of Wastewater in that the applicant has failed to demonstrate that there is an alternative and viable non mains solution for the treatment and disposal of wastewater and that this solution if approved would not create or add to a pollution problem.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
24	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Neighbour notification.	The view is expressed that some adjacent properties did not receive neighbour notification. The Council has fulfilled its statutory obligations with regards to neighbour notification.		
Parking provision and road safety.	The view is expressed that there is inadequate parking provision to facilitate the development. The car park associated with the neighbouring business called Eight South has become an overflow facility to which they have had to hire their own parking attendant to police their car park. There is not enough car parking to facilitate the existing businesses of Emerson House never mind adding another business. The existing situation is unsustainable. The view is also expressed that the information put forward by the agent is incorrect with regards to the figures relating to the parking. The neighbouring streets are being turned into a car park for Bettys café. Car parking along adjacent streets is blocking people driveways. The lack of car parking is having an impact on the adjacent businesses who are losing out as people are put off because of the lack of parking facilities. The view is expressed that the car parking does not meet the Parking Standards. SW Consultancy has submitted objections alongside their own parking survey that details that there are not enough car parking facilities to accommodate the proposal, and express concerns in relation to safety, access and parking. Photos		

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	<p>have also been provided by adjacent business detailing the parking situation at different times of the day.</p> <p>Through the processing of the application, Dfl Roads have been consulted numerous times for comment, taking on board the additional information in the representations and from the agent. Dfl Roads offer no objection to the development proposal. And it is considered that the proposal complies with the Parking Standards.</p>
<p>The proposal is already in operation.</p>	<p>The representations detail that the proposal opened for business in March 2024 and therefore is operating illegally.</p> <p>The details have been passed to the Councils Enforcement Team.</p>
<p>Loss of business.</p>	<p>The view is expressed that there has been a loss of business to a number of the adjacent businesses, less footfall and customer count since the proposal became operational.</p> <p>Business competition is a material consideration that is not given determining weight.</p>

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Item Number 6			
Application Reference	LA05/2021/1001/F	Date Valid	15.09.2021
Description of Proposal	Replacement of dwelling at 43 Leverogue Road, new domestic garage and associated site works	Location	Lands at 43 Leverogue Road, Leverogue, Lisburn
Group Recommendation	Refusal	Case Officer	Brenda Ferguson
Reasons for Recommendation			
<ul style="list-style-type: none"> • The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council's Plan Strategy, in that it is not a type of development which in principle is considered to be acceptable in the countryside. • The proposal is contrary to Policy COU3 of the Lisburn and Castlereagh City Council's Plan Strategy, in that planning permission has previously been granted for a replacement dwelling and a condition has been imposed in relation to the existing building having to be demolished within 6 weeks of the date of the occupation of the new dwelling. 			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
0	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		